

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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LAMONT B. SIMMONS
MELISSA R. SIMMONS et al
Plaintiffs,

vs.

Case No. 08-6263-SCR

ROUNDUP FUNDING, LLC
MALEN & ASSOCIATES, P.C.
Defendants.

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PLEASE TAKE NOTICE that Plaintiff, LAMONT B. SIMMONS and MELISSA R. SIMMONS, by and through his undersigned counsel, Joshua N. Bleichman, pursuant to Federal Rules of Civil Procedure 59(e) hereby makes application to this Court for Reconsideration of its Order dated September 22, 2009 based upon the Affirmation of Joshua N. Bleichman and the Memorandum of Law filed herewith as soon as counsel may be heard.

Dated: September 30, 2009
Spring Valley, New York

/s/ Joshua N. Bleichman
Joshua N. Bleichman
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